

**BEFORE THE  
PENNSYLVANIA PUBLIC UTILITY COMMISSION**

Ann Marie Luyando	:	
	:	
v.	:	F-2022-3034600
	:	
Newtown Artesian Water Company	:	

**AMENDED SCHEDULING ORDER**

On March 5, 2024, the Commission issued my Scheduling Order, following a prehearing conference held on February 29, 2024 in this matter. Subsequently, the Complainant, Ann Marie Luyando, via email to me dated March 27, 2024, copying counsel for the Newtown Artesian Water Company, requested additional time to identify any potential medical expert witness that she wished to present at the evidentiary hearing. Ms. Luyando explained that she has a medical appointment in early May 2024, and therefore requested an extension until at least May 7, 2024. Counsel for the Company, T.J. Walsh, Esquire, did not oppose this request.<sup>1</sup> I informally advised the parties that Ms. Luyando's would be granted an extension until May 9, 2024.

During this email exchange with the parties, there was also some discussion regarding the Complainant's Motion to Compel the Company to Answer Interrogatories. This discussion concerned some conflicting dates as to when the Motion was served, that it was served via email on Attorney Walsh while he was on leave, that there was a breakdown in the Commission's service of the Scheduling Order upon the Company, and that the Motion was not

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<sup>1</sup> I also note that in this email exchange with the parties, Attorney Walsh explained that he did not receive a copy of the Scheduling Order dated March 5, 2024. Upon my review of the Commission's docketing system of this matter, and consulting with Commission staff, it was determined that the Scheduling Order was not successfully eServed on Attorney Walsh for some technical reason. The Scheduling Order was served on Ms. Luyando via email and first-class mail on March 5, 2024, since she was not registered for eService.

Therefore, in an email to the parties on April 2, 2024, I attached a copy of the Scheduling Order and instructed my office to re-eServe the Scheduling Order upon the Company. This eService appears to have been successfully accomplished on April 2, 2024.

endorsed with a notice to plead, stating that pursuant to 52 Pa. Code § 5.342(g)(1), an answer was due within five days of service of the Motion. As a result of this exchange, I informally advised the parties that I would in my discretion allow the Company to timely respond to the Motion by April 8, 2024.

This Order formally memorializes the above extensions.

THEREFORE,

IT IS ORDERED:

1. That the request of the Complainant, Ann Marie Luyando, for an extension to identify a potential expert witness is Granted.

2. That paragraph number 3(b) of the Scheduling Order dated March 5, 2024, is modified so that it now reads as follows:

That, **on or before May 7, 2024**, the Complainant, if she wishes to present expert testimony, including but not limited to medical or technical testimony, must provide to the Company in writing, the name and business address of that expert and a written summary of the expected testimony of that expert. If no expert testimony will be presented, the Complainant shall provide a writing to the Company indicating this fact.

3. That the Company may timely file an answer or other appropriate response to the “Motion of Complainant, Ann Marie Luyando[,] to Dismiss Objections and to Compel Newtown Artesian Water Company to Answer Interrogatories” no later than April 8, 2024.



**F-2022-3034600 - ANN MARIE LUYANDO v. NEWTOWN ARTESIAN WATER COMPANY**

ANN MARIE LUYANDO  
4 MAGNOLIA DR  
NEWTOWN PA 18940  
**267.917.5854**  
madisoncedric166@gmail.com  
Served via email and first class mail

THOMAS J WALSH III ESQUIRE  
3655 ROUTE 202 SUITE 105  
DOYLESTOWN PA 18902  
**267.247.5024**  
**215.962.3956**  
twalsh@twalshlaw.com  
Accepts eService  
*(Counsel for Newtown Artesian Water Company.)*